

Subpart C—Mandatory Declassification Review

§ 1312.31 General.

Other government agencies and individual members of the public frequently request that classified information in OMB files be reviewed for possible declassification and release. This part prescribes the procedures for such review and subsequent release or denial.

§ 1312.32 Responsibility.

Requests for mandatory review of national security information must be in writing and addressed to the Security Officer, Office of Management and Budget, Executive Office of the President, Washington, DC 20503. The Office of Management and Budget Security Officer will acknowledge receipt of and monitor all such requests. When a request does not reasonably describe the information sought, the requestor will be notified that unless additional information is provided or the scope of the information is narrowed, no further action will be taken.

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§ 1312.33 Information in the custody of OMB.

Information contained in OMB files and under the exclusive declassification jurisdiction of OMB will be reviewed by the Assistant to the Director for Administration and/or the office of primary interest in the information, to determine whether, under the declassification provisions of Section 3-3 of the Order, the requested information may be declassified. If so, the information will be made available to the requestor unless withholding is otherwise warranted under applicable law. If the information may not be released in whole or in part, the requestor shall be given a brief statement as to the reasons for denial, a notice of the right to appeal the determination to the Director, Office of Management and Budget, and a notice that such an appeal must be filed within 60 days in order to be considered.

§ 1312.34 Information classified by another agency.

When a request is received for information that was classified by another agency, the Assistant to the Director for Administration will forward the request, along with any other related materials, to the appropriate agency for review and determination as to release. Recommendations as to release or denial may be made, if appropriate. The requestor will be notified of the referral, unless the receiving agency objects on the grounds that its association with the information requires protection.

§ 1312.35 Appeal procedure.

Appeals received as a result of a denial will be routed to the Deputy Director, who will take action as necessary to determine whether any part of the information may be declassified and if so, notify the requestor of his determination and make available that information that is declassified and otherwise releasable. If continued classification in whole is required, the requestor shall be notified by the Director of the reasons therefor.

§ 1312.36 Fees.

There will normally be no fees charged for the mandatory review of classified material for declassification under this part.

PART 1320—CONTROLLING PAPER- WORK BURDENS ON THE PUBLIC

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